

Assembly Bill No. 16

CHAPTER 5

An act to add and repeal Section 99030 of the Government Code, relating to state finance, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor February 20, 2009. Filed with
Secretary of State February 20, 2009.]

LEGISLATIVE COUNSEL'S DIGEST

AB 16, Evans. State finance.

Existing law defines the current duties of the Treasurer and the Director of Finance and charges those officers with various responsibilities in connection with the financial affairs of the state.

This bill would require the Treasurer, or a designee, and the Director of Finance, or a designated deputy, to meet and confer in a public hearing on or before April 1, 2009, for the purpose of determining whether federal legislation has been enacted that will make available, by June 30, 2010, additional federal funds that may be used to offset not less than \$10,000,000,000 in General Fund expenditures. If the Treasurer and the Director of Finance determine that federal funds in that amount have been made available, the bill would require them to notify the Joint Legislative Budget Committee and the Controller of that determination in writing. The bill would provide that its provisions would be repealed on July 1, 2010.

The California Constitution authorizes the Governor to declare a fiscal emergency and to call the Legislature into special session for that purpose. The Governor issued a proclamation declaring a fiscal emergency, and calling a special session for this purpose, on December 19, 2008.

This bill would state that it addresses the fiscal emergency declared by the Governor by proclamation issued on December 19, 2008, pursuant to the California Constitution.

This bill would declare that it is to take effect immediately as an urgency statute.

The people of the State of California do enact as follows:

SECTION 1. Section 99030 is added to the Government Code, to read: 99030. (a) On or before April 1, 2009, the Treasurer and the Director of Finance shall meet and confer in a public hearing for the purpose of determining whether federal legislation has been enacted that will make available, by June 30, 2010, additional federal funds that may be used to

offset not less than ten billion dollars (\$10,000,000,000) in General Fund expenditures.

(b) Notwithstanding any other provision of law, the Treasurer may send a designee and the Director of Finance may designate a deputy of his or her office to act in his or her place and stead for purposes of subdivision (a).

(c) If, on or before April 1, 2009, the Treasurer and the Director of Finance determine that sufficient federal funds have been made available as described in subdivision (a), the Director of Finance immediately shall notify, in writing, the Joint Legislative Budget Committee and the Controller of this determination.

(d) This section shall be operative only until July 1, 2010, and as of that date is repealed.

SEC. 2. This act addresses the fiscal emergency declared by the Governor by proclamation on December 19, 2008, pursuant to subdivision (f) of Section 10 of Article IV of the California Constitution.

SEC. 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to reduce General Fund expenditures at the earliest possible time, it is necessary that this act take effect immediately.